

*102
concluded*

selected from the group consisting of immunohistochemical and immunocytochemical staining, ELISA, RIA, immunoblotting, immunoprecipitation, Western blotting, functional assays and protein truncation test.

REMARKS

New and amended claims are being submitted with a request for a CPA (enclosed). Consideration of the new and amended claims is respectfully requested. Applicant has again amended previously amended claim 65, and has added new claims 68-76, inclusive. Claims 49-51 have been canceled without prejudice. The amendments to claim 65 and the new claims are all fully supported in the present specification as follows:

Claim 65 has been amended to further define the cancerous cells and the vector. This is supported in the present application at p. 10 lines 17-25 and at p. 16 lines 6-10, respectively.

Claim 49 has been cancelled and new claim 69 has been added. Claim 69 defines a method of introducing a vector into cancerous cells, which includes a step of determining the type of cancer and cancerous cells wherein a decrease in PP2C α gene activity compared to normal cells is detected. This is supported in the present specification at p. 10 lines 21-25.

Claim 71 has been added to define the active steps for introducing the vector into cancerous cells. This is supported in the present specification at p. 16 lines 14-26.

Claims 72 to 74 have been added to define the vector, which includes at least one targetor moiety. This is supported in the present specification at p. 16 line 35 to the end, bridging to p. 17 line 2.

Claim 75 has been added to define PP2C α gene activity by assaying mRNA complementary to PP2C α DNA including polymorphisms thereof in the cells. This is supported in the present specification at p. 11 lines 20-25.

Claim 75 has been added to further define PP2C α gene activity by assaying PP2C α gene product, which may include polymorphisms thereof, in the cells. This is supported in the present specification at p. 11 lines 26-35.

From the above remarks and amendments, Applicant feels that claims 65, 66 and 68-76 are now in condition for allowance. Prompt notice of allowance is respectfully and earnestly solicited.

Respectfully submitted,



D'vorah Graeser
US Patent Agent
Reg. No. 40,000

Date: May 1, 2002

MARKED-UP AMENDED CLAIMS

65. (Twice Amended) A method of treating cancer in a patient comprising
[including the steps of]:
detecting a type of cancerous cells in the patient wherein a decrease in
PP2C α gene activity is detected [(a) determining the type of
cancer and cells expressing the cancer];
[(b)] preparing a vector specific to said type of [which will specifically
target the] cancerous [cancer] cells comprising an expression
control sequence operatively linked to the nucleic acid sequence of a
mammalian PP2C α gene, said vector being capable of targeting said
cancerous cells [including regulatory elements to control the
expressibility of a mammalian protein phosphatase 2C]; and
[(c)] administering [the vector] to the patient a therapeutically effective
amount of a composition comprising said vector as an active ingredient,
thereby treating the cancer in the patient [for treating cancer].